

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA**

John F. Corcoran, Clerk
180 West Main Street, Room 104
Abingdon, Virginia 24210
Voice: 276.628.5116
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August 22, 2007

VIA CM/ECF

Anthony E. Collins, Esquire

RE: Jeff Mullins v Rinky Dink Systems, Inc.
Case Number: 2:07CV00024

Dear Mr. Collins:

Rule 4(m) of the Federal Rules of Civil Procedure states that "If a service of the summons and complaint is not made upon a defendant within 120 days from the filing of the complaint, the court, upon motion or on its own initiative after notice to the plaintiff, shall dismiss the action without prejudice as to that defendant or direct that service be effected within a specified time; provided that if the plaintiff shows good cause for the failure, the court shall extend the time for service for an appropriate period. This subdivision does not apply to service in a foreign country pursuant to subdivision (f) or (j)(1)."

Pursuant to that rule, you are hereby given notice that the Court's record reflects that your complaint was filed on May 15, 2007 and as of this date service has not been executed on the defendant Rinky Dink Systems, Inc.

You have until September 12, 2007 to notify the Clerk of this Court that service has been accomplished on said defendant or the named defendant will be dismissed from the suit without prejudice by order of this Court.

Sincerely,

John F. Corcoran, Clerk

/s/ Allison Cook, Deputy Clerk